

glitches and deep pockets all during the 1990s, and there is no trillion dollars' worth of lawsuits and frivolous lawsuits.

That gets me to the point where I can tell you that the real lawyers who bring any cases don't have any time to bring frivolous lawsuits. They are not worth it. They can't get anything for it. And they don't get paid unless they win. And if they win, they have to prove to a 12-man jury and withstand all of the legal motions, delays, and everything else. So the real attorneys just do not bring frivolous lawsuits.

Later, when we get into the full debate on the measure, I will have the documents to prove that from the Rand Corporation.

Quoting further from the article:

Through the Automotive Industry Action Group, GM and other car makers have set March 31 deadlines for vendors to become Y2K compliant.

Madam President, that is just 5 days from now.

In March, members of the Grocery Manufacturers of America will meet with their counterparts from the Food Marketing Institute to launch similar efforts. Other companies are sending a warning to laggards—and shifting business to the tech-savvy. "Y2K can be a great opportunity to clean up and modernize the supply chain," says Roland S. Boreham, Jr., chairman of the board of Baldor Electric Co. in Fort Smith, ARK.

There is a statement. This particular so-called "problem" is cleaning out the inept, the inadequate, the incompetent, the uncompliant. But what they want to do is pass laws and change around all the States' tort systems for manufactured product downtown at the Chamber of Commerce, and that you will find in the political polls, so we can write out to Silicon Valley and say, "Look what I have done for you. I am looking out for you. Just contribute to my campaign."

That is all this is—another political exercise this week.

Quoting further:

The World Bank has shelled out \$72 million in loans and grants to Y2K-stressed nations, including Argentina and Sri Lanka. AT&T alone has spent \$900 million fixing its systems.

It goes on and on in the article.

Madam President, the point here is, we are trying to solve a political problem, not a business problem. It is one to get the contributions from Silicon Valley. It is one that has put up a straw man about a trillion dollars' worth of verdicts and all of that. That is outrageous nonsense. We haven't had over \$12 billion in product liability cumulatively in this Nation since the incidents of product liability, but every week we see some automobile company recalling 100,000. The week before last, it was a 1-million-car callback for retrofitting and everything else. Why? Because some good trial lawyer brought some good case and on the safety basis has saved many, many from injury and death.

No. I take the position of the lawyers in reality who really try the cases. They have deep pockets, and they are all there now, and they are all prospering and making more money. They haven't come to Washington to say, "Look, you know the changes that we have in computers." They change every other year—now almost yearly. So there is another new model. So there is a glitch. But people do not run around suing everybody on some kind of glitch. It is a business contract in the purchase under the Uniform Commercial Code to be controlled, and only when there is a fraudulent breach do we get into law, and tort law, which is State tort law.

I don't think we are going to change under this stampede here about what a grand thing we have—bipartisanship. Oh, no. It is as partisan as it can be for those trying to get their money, be they Republican or Democrat, out there in the Silicon Valley campaign.

I yield the floor and retain the remainder of my time.

I suggest the absence of a quorum to be divided by unanimous consent between both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative assistant read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 34, S. 96, the Y2K legislation:

Trent Lott, John McCain, Rick Santorum, Spencer Abraham, Judd Gregg, Pat Roberts, Wayne Allard, Rod Grams, Jon Kyl, Larry Craig, Bob Smith, Craig Thomas, Paul Coverdell, Pete Domenici, Don Nickles, and Phil Gramm.

#### VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to the consideration of S. 96, the Y2K Act, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Texas (Mrs. HUTCHISON)

and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from California (Mrs. BOXER), and the Senator from New Jersey (Mr. LAUTENBERG), are necessarily absent.

I also announce that the Senator from New York (Mr. MOYNIHAN) is absent due to surgery.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "aye."

The yeas and nays resulted—yeas 94, nays 0, as follows:

[Rollcall Vote No. 91 Leg.]

#### YEAS—94

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Murray
Bayh	Graham	Nickles
Bennett	Gramm	Reed
Bingaman	Grams	Reid
Bond	Grassley	Robb
Breaux	Gregg	Roberts
Brownback	Hagel	Rockefeller
Bryan	Harkin	Roth
Bunning	Hatch	Santorum
Burns	Helms	Sarbanes
Byrd	Hollings	Schumer
Campbell	Hutchinson	Sessions
Chafee	Inhofe	Shelby
Cleland	Inouye	Smith (NH)
Cochran	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thompson
Daschle	Kyl	Thurmond
DeWine	Landrieu	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

#### NOT VOTING—6

Biden	Hutchison	Moynihan
Boxer	Lautenberg	Murkowski

The PRESIDING OFFICER. On this vote the yeas are 94, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

#### UNANIMOUS CONSENT AGREEMENT—S. 96

Mr. MCCAIN. Mr. President, I ask unanimous consent that at 11:30 a.m. on Tuesday, April 27, the Senate proceed to the consideration of S. 96, the Y2K legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER (Mr. FITZGERALD). The majority leader is recognized.

#### MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.